

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18999 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -DULHIN BAZAR District- PATNA

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Binay Kumar @ Binay Yadav, son of Ram Bhajan Yadav, resident of
Village- Nawada, Police Station- Dulhin Bazar, district- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Singh, Advocate

For the Opposite Party/s : Mr. T.N.Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Dulhin Bazar P.S. Case No. 204 of 2015, disclosing offences
under Sections 147, 148, 149, 341, 323, 283, 332, 333, 307, 353,
427, 152 and 504 of the Indian Penal Code.

In a road accident, a person had died. In protest, the
local people had gathered. It is alleged that they were rioting and
set two trucks on fire. They are said to have caused obstruction in
due discharge of official duties of the Police personnel when they
(police) were trying to take the dead body of the deceased for the
purpose of post mortem.

Learned counsel appearing on behalf of the petitioner

has submitted that the allegations are general and omnibus against all persons. Though 67 persons have been named in the First Information Report, petitioner's name is not there.

Considering the fact that there is no specific allegation against the petitioner, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Dulhin Bazar P.S. Case No. 204 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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